

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**UNITED STATES OF AMERICA,**

**v.**

**KEVIN RUSS IVY (1),**

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**CASE NUMBER 6:18-CR-00063-RWS**

**FINDINGS OF FACT AND RECOMMENDATION ON GUILTY PLEA  
BEFORE THE UNITED STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636(b), this matter has been referred by the District Court for administration of the guilty plea and allocution under Rule 11 of the Federal Rules of Criminal Procedure.

On May 13, 2019, this cause came before the undersigned United States Magistrate Judge for guilty plea and allocution of the Defendant on Count One of the Superseding Indictment. Count One charges a violation of Title 21 U.S.C. § 846 - Conspiracy to Possess with Intent to Manufacture and Distribute (Methamphetamine, Cocaine, Heroin, Crack Cocaine, Marijuana). After conducting said proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Court finds:

a. That the Defendant, after consultation with counsel of record, has knowingly and voluntarily consented to the administration of the Guilty Plea and Allocution in this cause by a United States Magistrate Judge subject to a final approval and imposition of sentence by the District Court.

b. That the Defendant and the Government have entered into a plea agreement which has been filed and disclosed in open court pursuant to Fed. R. Crim. P. 11(c)(2).

c. That the Defendant is fully competent and capable of entering an informed plea, that the Defendant is aware of the nature of the charges and the consequences of the plea, and that the plea of guilty is a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense.

d. Defendant has waived his right to object to the findings of the Magistrate Judge in this matter so the Court will present this Report and Recommendation to Judge Robert W. Schroeder III for adoption immediately upon issuance.

IT IS THEREFORE RECOMMENDED that the District Court accept the Plea Agreement and the Guilty Plea of the Defendant, and that **KEVIN RUSS IVY (1)** should be finally adjudged guilty of the offense listed above.

**So ORDERED and SIGNED this 13th day of May, 2019.**

  
JOHN D. LOVE  
UNITED STATES MAGISTRATE JUDGE